

10/568362

1AP20 Rec'd PCH/PTO 14 FEB 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. Of: NASIR
Filed: February 14, 2006
For: IMPROVED AIRWAY DEVICE
DOCKET: MARKS 5198

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-identified application, Applicant hereby attaches U.S. Patent Office form PTO-1449, including copies of the literature prior art reference and the foreign prior art references listed therein. These references were cited in the PCT International Search Report dated February 15, 2005 of the corresponding PCT patent application and in related U.S. Applications. Enclosed also is a copy of the PCT International Search Report. Applicants are not submitting copies of the U.S. Patent reference(s)/U.S. Patent Publication(s) as the Office waived the requirement on July 11, 2003. Also enclosed is a copy of the PCT Written Opinion.

The claims in the present application are believed to be patentably distinguished over these references.

This information disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR §1.56(A). No representation is made that the

HAYES SOLOWAY P.C.
3450 E. SUNRISE DRIVE,
SUITE 140
TUCSON, AZ 85718
TEL. 520.882.7623
FAX: 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX: 603.668.8567

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /SD/

information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR §1.56(A) relies on a materiality concept which depends on subjectivity.

In compliance with the requirements of 37 CFR §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a copy of the Search Report and Written Opinion by a PCT examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a PCT patent application on the same subject matter. However, no independent analysis of the references, the accuracy of the statement of the PCT examiner or the claims of the PCT application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the PCT examiner's comments submitted herewith.

Respectfully submitted,



Norman P. Soloway
Attorney for Applicant
Reg. No. 24, 315

HAYES SOLOWAY P.C.
3450 E. SUNRISE DRIVE,
SUITE 140
TUCSON, AZ 85718
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567

10/568362

Docket No. MARKS 5198
Information Disclosure Statement

1AP20 Rec'd PCT/PTO 14 FEB 2006

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Mailing Label No: EQ 169724134 US
Date of Deposit February 14, 2006

I hereby certify that this paper and the papers listed thereon are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, and is addressed to: BOX PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name of person mailing Kathryn Grimes

Signature of person mailing 

HAYES SOLOWAY P.C.
3450 E. SUNRISE DRIVE,
SUITE 140
TUCSON, AZ 85718
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

MARKS 5198

10756362

Applicant(s)

NASIR

Filing Date

February 14, 2006

Group Art Unit

AP20 Rec'd PCT/PTO 14 FEB 2006

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,988,167	11.23.99	KAMEN	128	207	
		3,734,100	5.22.73	WALKER et al.	128	351	
		5,391,248	2.21.95	BRAIN	156	242	
		6,631,720	10.2003	BRAIN	128	207	
		6,095,144	8.2000	PAGAN	128	207	

U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		2001/015207	8.23.01	Pagan			
		2005/0051173	3.2005	BRAIN	128	207	
		2004/0020491	2.2004	FORTUNA	128	207	
		2002/010617	1.24.02	Yamaguchi et al.			

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		GB 2 373 188	1.18.02	GREAT BRITAN	A61M	16/04		
		WO 00/61213	10.19.00	PCT	A61M	16/04		
		EP 0389272	9.26.90	EUROPE	A61M	16/04		
		EP 0 911 049	4.28.99	EUROPE	A61M	16/04		
		EP 1 125 595	8.22.01	EUROPE	A61M	16/04		

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

		"The Development of the Laryngeal Mask-a Brief History of the Invention, Early Clinical Studies and Experimental Work from which the Laryngeal Mask evolved" A. L. J. Brain, European Journal of Anesthesiology, 1991, Supp. 4

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

MARKS 5198

Application Number

10/568362

Applicant(s)

NASIR

Filing Date

February 14, 2006

Group Art Unit

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		D429,811	8.2000	BERMUDEZ	D24	110	
		5,632,271	5.1997	BRAIN	12/	207	

U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		WO 0009189	2.24.00	PCT	A61M	16/04		
		WO 00/30706	2.6.00	PCT	A61M	16/04		
		WO 2004/016308	2.26.04	PCT	A61M	16/04		
		GB 2 393 399	3.31.04	UNITED KINGDOM	A61M	16/04		

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER /Steven Douglas/ DATE CONSIDERED 09/10/2009

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.